

PROPERTY OWNER NOTIFICATION

In Michigan all area wide application of pesticides, other than those defined as general-use ready-to-use pesticides, require notification of people in or entering treated areas. This includes ornamental, turf, public or private golf courses, commercial or public buildings, health care facilities, licensed day care centers, schools and, as in the case of gypsy moth, community or public right of way applications. The law that governs this is the Pesticide Use Regulation 637 and it outlines all of the things that a pesticide applicator must do in order to apply a pesticide in each of the above listed situations in Michigan.

The applicators on the Approved Bidders List have all met a number of requirements demonstrating they understand the acceptable practices and laws that govern pesticide applications. Each county plays an important role in the proper application of the pesticide used to control gypsy moth. That role involves the notification of local residents.

Notification is a process. It involves several steps which, when completed, result in a well informed public able to make wise decisions about participating in the Suppression Program. Requirements for notification and the content of that notification are well defined. Here are the requirements:

Means of Notification:

- ◆ Personal contact
- ◆ Legal notice in at least 1 newspaper of general circulation (in area(s) to be treated)
- ◆ Written notification

Content of Notification:

- ◆ The name, address and phone number of application firm
- ◆ The brand name and active ingredient of the pesticide to be used
- ◆ The method of application
- ◆ The scheduled date(s) of application
- ◆ The name, address and phone number of a person who may be contacted and who is responsible for supplying updated information concerning the application for those people who request it
- ◆ Any reentry restrictions

The Gypsy Moth Suppression program uses a number of these means to get information out to the general public. This system allows for maximum information being provided to residents as the program moves from planning and preparation to pesticide application.

THE NOTIFICATION PROCESS

The notification process can take several steps. The number of steps depends on the timing of information. Notification, regardless of the number of steps, involves allowing people within proposed blocks to opt out or object to being sprayed. The earlier the coordinator knows who wants out of a treatment block, the more time the county has to provide additional education, make adjustments to spray block maps, adjust contracts

with applicators and notify those who will be affected by the changes in spray block's shape.

HERE ARE THE STEPS:

Step 1:

Initial Notification – First Class Mailing to All Residents within Proposed Spray Blocks:

Because all proposed blocks will be known by the first working day in January, work can begin immediately on creating a mailing list of all residents within those blocks. The actual first class mailing can be made at any time during January, February, March or April but earlier is better. Many people, to be on the "safe side," will object to a pesticide application if they lack information. An early notification mailing will provide you with the time needed to provide additional information. This will result in fewer changes and, therefore, better control in the blocks that need to be treated.

If you choose to use a later notification process, expect a frantic period of large numbers of last minute adjustments to your blocks. You will, however, know all the information required for notification and can include it in your first class mailing.

If you complete the first class mailing early in the process, you will not be able to completely meet the requirements of the notification process at that time. You may not know who your applicator is, what pesticide they will use or the approximate start date. On the other hand, you will not have as many adjustments to your treatment blocks. You will have time to provide additional information, making people feel more comfortable about participating. You will have fewer adjustments to your treatment blocks and more time to make the adjustments you do have. In our view, earlier is better.

Whether you use an early or late notification process, you must complete Step 1 and do a first class mailing to all property owners within the proposed treatment blocks.

Step 2:

Legal Notice – In at Least 1 Newspaper of General Circulation:

This occurs in middle to late April and provides information not available in the initial letter. The legal notice includes approximate dates of application (weather and eggs mass hatch information will be known), applicator information (the bid process will now be completed) and the pesticide to be used. Since this is the last of the legal options short of a door to door effort, all requirements of the notification portion of the law must be met by the completion of Step 2.

Step 3:

News Releases/Radio Spots – Public Service Announcements:

These can be done a week in advance of the application and continue through the application process. They let people know exactly when application is going to occur and, in a bigger program, you can include where the work will be done on a day to day basis. It gives you a chance to inform people about low flying planes in certain areas on certain days. Again, a well-informed public is a properly conducted program.

MAILING LIST

The mailing list that is created for notification must be retained for one year. It will serve several purposes. One purpose is documentation of who has been notified. This becomes invaluable in the event the county is accused of improper notification. The mailing list will also be used for the Perception Survey which will occur in July.

UNAPPROVED AREAS

The county should provide some mechanism to notify property owners who requested to be sprayed but whose property did not meet established standards. This notification should include an explanation as to why it did not qualify and should be done no later than March 15th so property owners have time to make other arrangements.

OBJECTORS TO SPRAYING

As stated above, the county should contact each objector to determine the reason(s) for objection to treatment. Many times the objection is related to a lack of knowledge of the program, its benefits, or its safety. The fact remains, property owners who insist on not being sprayed must be excluded from the treatment block. The timing of their objection can not be limited to your established response dates. If a property owner asks not to be treated and the property has not already been treated, then an adjustment must occur to honor that request.

If an objector provided a form requesting not to be treated and then, after the coordinator's efforts, wants to be treated, the landowner must provide a signed letter or sign a preprinted form to this affect. There must be a signed record to counter the initial objection request.

OBJECTOR BUFFERS

All objectors must be surrounded by a 100 foot no spray buffer area. This reduces the risk of treating any of the objector's property. An objector can waive the 100 foot buffer requirement (this usually occurs if an objection is to the cost of the treatment) if they provide a signed letter or sign a preprinted form that states their desire to waive the buffer.

Any buffer will effect the neighbors of the objector. Property owners affected by the buffer should be notified that they would no longer be sprayed. Again, doing this early allows these people to make other arrangements.

PROPERTY OWNER NOTIFICATION EXAMPLE LETTER

First Class Letter

This is a two-part communication including the informational letter and a response form for those who want to object from participating in the program. This letter provides basic information but also meets two of the requirements of proper notification. First it indicates that the application will use fixed wing aircraft and, second, a contact at the county level that can provide more information.

The First Class mailing is made in Late January or February after a complete mailing list is created for all residence in the proposed treatment blocks

Dear Property Owner:

Your property is located in a proposed treatment area for this year's Gypsy Moth Suppression Program. The purpose of this aerial spray program is to provide relief to residents during gypsy moth outbreaks. This will not eliminate the pests but will reduce the numbers of caterpillars and the defoliation that they cause. The estimated time of spraying will be late May. Exact application dates will be determined by weather and caterpillar development as the Spring progresses.

All or a portion of your property is scheduled to be sprayed with a biological insecticide called *Bacillus thuringiensis* (Bt). Bt only affects the caterpillars of moths and butterflies that are actively feeding at the time of treatment. Organic gardeners have been using this pesticide option for years. After ingestion, the toxins in the Bt paralyze the caterpillar's digestive system and in two to three days they become lethargic and stop feeding. In an effective spray application you may notice a change in the level of activity and responsiveness of the caterpillar and they will die in 5 to 7 days.

Fixed Wing aircraft will apply the spray in a very fine mist for maximum coverage of the leaves. The aircraft will apply ½ gallon of the Bt material over each acre. This is result in an effective spray that will be very difficult to see or feel as it is being applied. After 4 to 6 hours, the material will be dried on the leaves and rain will have little effect on washing the material off. Spraying will be done when average wind speed is less than 10 mph and the relative humidity is more than 50%. In most cases these constraints will limit spraying to a morning activity but if conditions allow, spraying will continue until completed or conditions will no longer allow for an effective application. Application will occur during the middle to end of May depending on spring weather and caterpillar development

This is a voluntary program. The County Board of Commissioners and the U.S Forest Service are sharing the cost of this service with you. If you DO NOT want to have your property sprayed, you must notify the Gypsy Moth Suppression Program, by returning the enclosed NO Form. This must be done before April 1, 2000. No response to this letter will indicate a desire to participate. If you are the landlord of the address being treated, you must notify the occupants and they must also agree to participate.

An area of at most 528 feet in all directions of your residence is targeted for treatment. This are may be links to neighboring property to form a larger block. It is also possible that only a portion of your property will be sprayed. Some land without homes will be sprayed only to provide the 528-foot buffer for the residence. Maps of the spray blocks are available at out office.

Objectors to the spray program will be removed from the treatment blocks. A buffer of 100 feet will be created around the objector. This could result in as much as 25 acres being dropped from a treatment block and could effect neighboring properties to the objector depending on the location of the objector. In some cases objectors can make an entire block untreatable and may result in the elimination of a proposed block.

If you have any questions regarding this program, please call Coordinators Name at XXX-XXX-XXXX between 8:00am and 5:00pm, Monday through Friday.

Sincerely,

Coordinators Name
Coordinator
Gypsy Moth Suppression Program

PROPERTY OWNER NOTIFICATION RESPONSE FORM

PLEASE RETURN BY APRIL 1, 2006

NO, I do not want to have my property included in the 2006 XXXX County Gypsy Moth Suppression Program. I understand that this decision could affect my neighbor's participation in the program

Name (Please Print):

Address:

Zip:

Home Phone:

Work Phone:

Reason for Non-Participation:

Signature of Property Owner: _____

- ☐ I waive the required 100-foot buffer around my property. I understand that this means the pesticide application will occur up to my property boundary and may allow my neighbors to participate.
- ☐ I would like additional information to make a more informed decision.

RETURN TO:

**OUR PROGRAM OFFICE
Gypsy Moth Suppression Program
XXX Any Street
Our Town, MI. XXXXX**

PUBLIC NOTICE

This is a legal notice published in at least on local newspaper of general distribution within the county. If general distribution requires more than one paper, please do so. The point is to achieve complete county coverage.

This is legal notice is made in April after the bidding process has been completed. This notice completes all requirements of the notification process. The only information that can be provided in a more concise manner is the actual dates of application. This will become clearer as egg hatch and larval development occur in late April and early May.

NOTICE OF GYPSY MOTH SPRAYING

The Gypsy Moth Suppression Program has identified areas of XXXX County that will experience significant gypsy moth related defoliation of trees and nuisance to landowners. The areas proposed for are located in (list Townships involved). Maps of the areas can be seen at the XXXX office from 8:00am to 5:00pm Monday through Friday. Those residents that live within the proposed areas were contacted by first class mail in February.

Gypsy Moth will be controlled by applying a biological pesticide called *Bacillus thuringiensis* or Bt. This is a naturally occurring soil bacterium that specifically kills caterpillars that are feeding on leaves at the time of application. The specific formulation that will be used is (Foray 48F or Thuricide 48LV). There are no reentry restrictions with this pesticide. The pesticide treatment will be completed using airplanes equipped with satellite and global positioning technology to assure accurate placement of the pesticide. The firm that will apply the pesticide is Accuracy Aerial Application, Inc. at 12345 Airport Rd., Mt. Pleasant MI 43256. Their phone number is 517-123-4567.

Application is expected to begin during the week of May 15. Barring weather delays, application should be completed in 3 days. As application dates approach, updates will be provided by WABC and WXYZ radio.

Additional and update information can be received by calling Coordinator Name at 517-XXX-XXXX.

RADIO SPOTS (optional)

The radio spot are optional but a nice feature for a well run program. It provides information and updates to residents. They will provide more accurate information concerning when the spraying will be gin but also let people know where the low flying planes are going to be working. This way people can expect then and know when they will be done in their area.

WEEK BEFORE SPRAYING

A notice to all Hickory County residents: The gypsy moth spray program is scheduled to begin on Tuesday May 16th. Treatments will begin shortly after sunrise and will continue until wind and or relative humidity make conditions unacceptable. Treatment will include low flying spray aircraft. The material being applied is a biological pesticide called Bt and although there are no reentry restrictions but reasonable precautions should be taking such as avoiding direct exposure under the flight path of the plane. Any questions should be directed to the County Gypsy Moth Coordinationator at 517-123-4567.

DAY BEFORE SPRAYING

A notice to all Hickory County residents: Weather permitting, the gypsy moth spray program is scheduled to begin tomorrow Tuesday May 16th at sunrise. Treatments will continue until wind and or relative humidity make conditions unacceptable. Treatment will include low flying spray aircraft. The material being applied is a biological pesticide called Bt and although there are no reentry restrictions but reasonable precautions should be taking such as avoiding direct exposure under the flight path of the plane. Any questions should be directed to the County Gypsy Moth Coordinationator at 517-123-4567.

DAY OF SPRAYING (can be updated daily)

A notice to all Hickory County residents: Gypsy moth treatments are being completed in Crabapple, Spicer and Walker Townships today. Treatments will continue until wind and or relative humidity makes conditions unacceptable. Treatment will include low flying spray aircraft. The material being applied is a biological pesticide called Bt and although there are no reentry restrictions but reasonable precautions should be taking such as avoiding direct exposure under the flight path of the plane. Any questions should be directed to the County Gypsy Moth Coordinationator at 517-123-4567.